

if that subject matter and the claimed invention “were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.” The change to 35 U.S.C. §103(c) applies to any patent application filed on or after the date of enactment of November 29, 1999.

The present application is a CPA filed on March 16, 2001, which is subsequent to November 29, 1999. Accordingly, Yabe et al. is not prior art since NSK, Ltd. owned both Yabe et al. and the present application at the time the former invention was made.

In addition, Applicants submit herewith verified English translations of the priority documents (Japanese Application Nos. 8-155545, 8-155546 and 8-189148) in order to perfect the claims for priority under 35 U.S.C. §119(a)-(d).

Accordingly, the Examiner is respectfully requested to remove the 35 U.S.C. §103(a) rejections of record, and indicate that all of the pending claims are allowed in the next Patent Office paper.

Applicants also submit concurrently herewith an Information Disclosure Statement and a Statement Under 37 C.F.R. §1.97(e). Consideration of the cited reference and a return of the initialled Form PTO/SB/08 A & B in due course are respectfully requested.

REQUEST FOR RECONSIDERATION
U.S. SERIAL NO. 09/809,262

ART UNIT 3682
Q63051

In view of the preceding remarks, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby earnestly solicited. If there are any points remaining in issue that the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is kindly requested to contact the undersigned attorney at the local telephone number listed below.

The USPTO is directed and authorized to charge all required fees (except the Issue Fee and/or the Publication Fee) to our Deposit Account No. 19-4880. Please also credit any overpayment to said Deposit Account.

Respectfully submitted,



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PATENT TRADEMARK OFFICE

Date: May 19, 2003